

MINUTES OF COUNCIL REGULAR MEETING – JULY 17, 2007

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JULY 17, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Carolynn Burt
Joel Coleman
Margaret K. Peterson
Steve Vincent

Wayne Pyle, City Manager
Carel Hicks, Acting City Recorder

ABSENT: Russ Brooks
Mike Winder

STAFF PRESENT:

Richard Catten, City Attorney
Joseph Moore, CED Director
John Evans, Fire Chief
Jim Welch, Finance Director
Kevin Astill, Parks and Recreation Director
Jake Arslanian, Acting Public Works Director

13356 **OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Vincent who led the Pledge of Allegiance to the Flag.

13357 **APPROVAL OF MINUTES OF REGULAR MEETING HELD JULY 3, 2007**

The Council read and considered the Minutes of the Regular Meeting held July 3, 2007. There were no changes, corrections or deletions.

After discussion, Councilmember Coleman moved to approve the Minutes of the Regular Meeting held July 3, 2007, as written. Councilmember Burt seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Coleman	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

13358 INTRODUCTION OF NEW EMPLOYEES

Aimee Tye-Critchley, Human Resource/Administration, introduced the following new employees to the City Council: Law Department: Shelly Millgate, Secretary; Parks and Recreation Department: William Allard, 1st Asst. Golf Pro at Stonebridge; Public Works Department: Philip Markham, Operations Manager; Randall Peterson, Engineer Tech VII; Kyle Butterfield, Engineer Tech II; Fire Department: Nicole Belasquez, Support Services Clerk; Richard Andreasen, Fire Inspector; Justice Court: Kay Leitch, Sandra Hernandez, Norma Tapia, and Rachel Gates, Court Clerks; Police Department: Betty Evans, Support Services Clerk; Mark Veatupu, Police Officer; and Jennifer Mayer, Support Services.

The City Council welcomed the new employees to service with West Valley City.

13359 PROCLAMATION DECLARING AUGUST AS “NEIGHBORHOOD NIGHTS” MONTH AND AUGUST 7, 2007, AS “NATIONAL NIGHT OUT 2007” IN WEST VALLEY CITY

Craig Thomas, Neighborhood Services, addressed the City Council and discussed the “National Night Out 2007” proclamation. Mr. Thomas introduced two costumed characters as “National Knight Out” and “McGruff”.

Councilmember Burt read a proclamation declaring August as “Neighborhood Nights” Month and August 7, 2007, as “National Night Out 2007” in West Valley City.

Mr. Thomas stated his goal was to schedule 30 block parties and he was certain that goal would be met.

13360 KENT AND TRUDY PRICE BAWDEN, PRESENTATION OF MAYOR HENRY H. PRICE’S SCRAPBOOKS TO WEST VALLEY CITY

Mayor Nordfelt introduced Trudy and Kent Bawdin, the daughter and son-in-law of the City’s first mayor, the late Henry H. Price. He informed that they desired

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to donate scrapbooks and other memorabilia to the City in honor of Mayor “Hank” Price.

Trudy Price Bawden addressed the City Council and remarked about the contents of the scrapbooks. She stated the scrapbooks contained details on the original hiring, planning and purchase of City Hall in 1981, as well as information regarding annexations, gas and sewer lines on 3500 South, change in the form of government, budget problems and solutions, and Bangerter Highway.

Kent Bawden addressed the City Council and discussed a short biography of highlights of Henry “Hank” Price’s life. Mr. Bawden informed that Hank had served in the Battle of the Bulge. He indicated Hank’s father had left when he was eight years old and Hank rode the rails at the age of 15. Mr. Bawden stated the former Mayor had also served as a Precinct Court Judge in the 1970’s. He indicated Hank had indeed been a proud resident of West Valley City.

13361

COMMENT PERIOD

Upon inquiry by Mayor Nordfelt the following individual(s) addressed the City Council during the Comment Period:

Charles Sipes, 4171 Bluejay Street, addressed the City Council. Mr. Sipes stated he could not see any benefit to the City Council adopting an ordinance to ban all fireworks in the City. Mr. Sipes stated he did not think there would be any benefit in passing an ordinance that could and would not be enforced.

13362

PUBLIC HEARING, APPLICATION NO. Z-10-2007, FILED BY RAYWANG CORPORATION, REQUESTING A CHANGE OF ZONE FROM ZONE ‘A’ (AGRICULTURE) TO ZONE ‘C-2’ (GENERAL COMMERCIAL) FOR PROPERTY LOCATED AT APPROXIMATELY 2055 WEST 3500 SOUTH

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled July 17, 2007, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. Z-10-2007, filed by Raywang Corporation, requesting a change of zone from zone ‘A’ (Agriculture) to zone ‘C-2’ (General Commercial) for property located at approximately 2055 West 3500 South. He discussed proposed Ordinance No. 07-43 and proposed Resolution No. 07-167 (Development Agreement) related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

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City Manager, Wayne Pyle, presented proposed Ordinance No. 07-43 which would amend the Zoning Map to show a change of zone for property located at approximately 2055 West 3500 South from zone 'A' (Agriculture) to 'C-2' (General Commercial) zone.

Mr. Pyle stated currently half of the property was zoned General Commercial and the other half was zoned Agriculture. He further stated the proposed zone change would allow the entire parcel to have the same zoning designation.

The City Manager reported the applicant had not submitted new plans for the piece of the property requested for a zone change. He stated Raywang Corporation was considering building a new building on the back of the property where they would move the Kowloon Café (currently located on the front piece of the property). He explained the existing building housing the Café might be used for a different commercial use such as retail shops. He stated Raywang Corporation indicated they were open to ideas from the City in regard to development of the piece of their parcel currently zoned Agriculture.

Mr. Pyle stated when plans for development at the subject location were submitted, staff would work with the property owner and applicant to determine parking requirements.

City Manager, Wayne Pyle, presented proposed Resolution No. 07-167 which would authorize the City to enter into a Development Agreement with Raywang Corporation for approximately 1.76 acres of property located at approximately 2055 West 3500 South.

Mr. Pyle stated Raywang Corporation had submitted a re-zone application to change 1.76 acres of property from 'A' to 'C-2.' He indicated the re-zone would allow the applicant commercial use of the south piece of the subject property. He advised that the Planning Commission recommended a development agreement to meet requirements in the 'C-2' zone as well as to ensure neighborhood compatibility. He reported the development agreement contained the following requirements:

1. Before the zone change becomes effective, the applicants shall eliminate one row of parking on the west side of the building to widen the driveway to more easily access the south portion of the property currently being re-zoned.

Mayor Nordfelt opened the public hearing.

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Raymond Wang, 2055 West 3500 South, addressed the City Council and requested approval of the application. Upon inquiry by the City Council, Mr. Wang stated this was a large parcel sitting vacant and he was trying to decide a good use for the property. He indicated a zone change was required in order for him to move forward.

There being no one else to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

ACTION: ORDINANCE NO. 07-43, AMENDING THE ZONING MAP TO SHOW CHANGE OF ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 2055 WEST 3500 SOUTH FROM ZONE ‘A’ (AGRICULTURE) TO ‘C-2’ (GENERAL COMMERCIAL) ZONE

The City Council previously held a public hearing regarding Application No. Z-10-2007, filed by Raywang Corp., and proposed Ordinance No. 07-43 which would amend the Zoning Map to show change of zone for property located at approximately 2055 West 3500 South from zone ‘A’ (Agriculture) to ‘C-2’ (General Commercial) zone.

After discussion, Councilmember Burt moved to approve Ordinance No. 07-43, An Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at Approximately 2055 West 3500 South from Zone ‘A’ (Agriculture) to ‘C-2’ (General Commercial). Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Coleman	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

ACTION: RESOLUTION NO. 07-167, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH RAYWANG CORPORATION FOR APPROXIMATELY 1.76 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2055 WEST 3500 SOUTH

Wayne Pyle, City Manager, presented proposed Resolution No. 07-167 which would authorize the City to enter into a Development Agreement with Raywang

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Corporation for approximately 1.76 acres of property being developed at approximately 2055 West 3500 South.

After discussion, Councilmember Vincent moved to approve Resolution No. 07-167, A Resolution Authorizing the City to Enter Into a Development Agreement with Raywang Corporation for Approximately 1.76 Acres of Property Located at Approximately 2055 West 3500 South. Councilmember Peterson seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Coleman	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

13363

PUBLIC HEARING, APPLICATION NO. Z-11-2007, FILED BY RICHMOND AMERICAN HOMES, REQUESTING A CHANGE OF ZONE FROM ZONE 'A' (AGRICULTURE) TO ZONE 'R-1-6' (RESIDENTIAL, SINGLE-FAMILY, MINIMUM 6,000 SQ. FT. LOT SIZE) FOR PROPERTY LOCATED AT APPROXIMATELY 4450 SOUTH 2700 WEST

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled July 17, 2007, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. Z-11-2007, filed by Richmond American Homes, requesting change of zone from Zone 'A' (Agriculture) to zone 'R-1-6' (Residential, Single-Family, Minimum 6,000 sq. ft. lot size) for property located at approximately 4450 South 2700 West. He discussed proposed Ordinance No. 07-44 and proposed Resolution No.07-168 (Development Agreement) related to the Application to be considered by the Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 07-44 which would amend the Zoning Map to show change of zone for property located at approximately 4450 South 2700 West from zone 'A' (Agriculture) to 'R-1-6' (Residential, Single Family Minimum 6,000 sq. ft. lot size) zone.

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Mr. Pyle stated surrounding zones included 'R-1-8' to the north, 'R-2-8' to the west, 'A' to the south, and 'A-1' to the east in Taylorsville City. He further stated adjacent uses included single-family homes to the north and west, UDOT's (Utah Department of Transportation) driver training course to the south, and a UDOT office complex to the east in Taylorsville. He stated the subject property was designated as office or medium density residential (six to 10 units to the acre) in the West Valley City General Plan.

The City Manager reported the concept plan included in the development agreement as Figure 2 included a total of 113 small, courtyard type single-family lots where four homes shared a common driveway. He stated the proposed density was 7.24 units per acre which would be a planned unit development (PUD) in the 'R-1-6' zone.

Mr. Pyle stated two documents had also been included in the Council's documentation, a two page response from Richmond American to questions listed on the zone change application; and two plan views of different courtyard configurations. He stated one configuration had been used by Richmond American on other similar projects. He stated the other illustration showed the configuration proposed for the subject project. He indicated as seen in the two configurations, the proposed lots for the project were larger than those in other similar Richmond American projects.

The City Manager explained a development agreement was required for the project. He stated Section 7-14-105(3)(l)(x) of the West Valley City Zoning Ordinance stated: "All new subdivisions involving a re-zone of property, or a PUD shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105(3)(l)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 1,600 square feet." He also explained staff, the Planning Commission, and Richmond American had drafted a development agreement to address the ordinance requirements.

City Manager, Wayne Pyle, presented proposed Resolution No. 07-168 which would authorize the City to enter into a Development Agreement with Richmond

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American Homes of Utah, Inc. for approximately 15.6 acres of real property being developed in the vicinity of 4450 South 2700 West.

Mr. Pyle stated the applicant had submitted a re-zone application to change 15.6 acres of property from 'A' (Agriculture, Minimum Lot Size ½ Acre) to 'R-1-6' (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.). He also stated staff and the Planning Commission had recommended a development agreement to ensure applicant's commitments were met. He discussed a summary of the main points of the development agreement, as follows:

1. All homes shall have basements with the average finished, above grade size being 1,600 square feet.
2. All homes shall be 100% masonry with a full perimeter wainscot of brick or stone.
3. All common areas and yard space that are viewable from the street will be maintained by the HOA (Home Owners Association).
4. At least one acre of common open space shall be provided in the center of the development.
5. All homes shall meet the City's architectural requirements for single family homes.

Mayor Nordfelt opened the public hearing.

Jim Delahunty, 1136 East Sego Lily Drive, Sandy, Utah, addressed the City Council. Mr. Delahunty addressed a question from the Council's previous meeting and indicated there would be no master bedrooms on the ground level. He discussed strong points of a development density decrease, rear yard increases, side setbacks increases, public streets, planter strips with trees on both sides of the street, architectural standards increase, wainscot, brick, basements, and architectural bump-outs.

Upon inquiry by Councilmember Burt regarding ingress and egress, Mr. Delahunty stated fill would be brought in to raise the property 2 to 5 feet to get out of the hole and also to facilitate basements. Mr. Delahunty also responded to a question regarding the street level and stated the entrance was close to the street level and there would be some drop.

Councilmember Coleman inquired if the subdivision would be a retirement or a gated community. Mr. Delahunty said it would not. He also stated there would be a home owners association to maintain the park and hillside trail system, the court-yard fronts, plowing of sidewalks and front yard maintenance. Upon further

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inquiry by Councilmember Coleman regarding the trail system, Mr. Delahunty stated the trail system would be in the subdivision only with a $\frac{3}{4}$ mile loop.

Upon inquiry by Councilmember Peterson regarding the possibility of connecting to the UDOT trail system, Mr. Delahunty stated that had not been planned but could be a possibility. Councilmember Peterson further inquired regarding street maintenance. Mr. Delahunty stated this proposal would provide better streets than in other PUD's. He stated all PUD's did not remain viable and the streets in this development would be built to City standards and given to the City.

Jan Markan, 2575 Bedford Road, addressed the City Council. Ms. Markan expressed concerns. Houses in her neighborhood already look down on existing homes and kids on the walking paths would cause problems. She stated she had experienced previous damage to her trailer in her back yard. She also stated there was currently gang activity in the area. Ms. Markan expressed concern regarding the parking of recreational vehicles in the proposed subdivision. She discussed single family homes and stated there were several families living in one home in her subdivision and there was no place to park in front of her home due to the multiple family situation. She stated traffic would be a problem and she inquired regarding parking in the PUD.

Mayor Nordfelt reminded the issue before the City Council was a proposal for a zone change.

Charles Sipes addressed the City Council and stated there would be a better use for the subject property where traffic would be less of an impact on the neighborhood.

Colleen (*her name not audible on recording*), 2474 Hurtford Drive, addressed the City Council. She stated her home faced east to the development and she was against a commercial development. She indicated she did not want commercial development in her back yard and would be in favor of a residential development. She inquired if there would be a fence around the trail. She also expressed concern regarding drainage. Mayor Nordfelt advised the application was for a zone change only and those issues would be addressed in a development agreement if the proposal was approved.

There being no one else to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

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Upon discussion, Councilmember Coleman expressed concern with the zone change, specifically due to traffic issues, size of lots, density, and parking for recreational vehicles. He stated there did not appear to be justification for this density in the area and higher value homes would bring property values up in the area.

Upon inquiry by Councilmember Peterson regarding provisions in the City's Master Plan; CED Director, Joseph Moore, stated multiple-family residential or business use was specified so no Master Plan change would be needed.

Councilmember Vincent stated there appeared to be a need to provide housing for people who did not desire to maintain large yards. He further stated, however, the subject development had no master bedroom on the main floor and would not be conducive to seniors.

Mayor Nordfelt advised he had revisited a similar project by this developer and there did not appear to be enough room for families to play outdoors.

Upon further discussion, Councilmember Peterson stated she felt three storeys would be too high. Councilmember Burt stated she opposed the density and was particularly concerned about the traffic as traffic would already be greatly increased with the new Costco store.

ACTION: ORDINANCE NO. 07-44 AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 4450 SOUTH 2700 WEST FROM ZONE 'A' (AGRICULTURE) TO 'R-1-6' (RESIDENTIAL, SINGLE-FAMILY MINIMUM 6,000 SQ. FT. LOT SIZE) ZONE

The City Council previously held a public hearing regarding Application No. Z-11-2007, filed by Richmond American Homes, and proposed Ordinance No. 07-44 which would amend the Zoning Map to show change of zone for property located at approximately 4450 South 2700 West from zone 'A' (Agriculture) to 'R-1-6' (Residential, Single Family Minimum 6,000 Square Foot Lot Size) zone.

After discussion, Councilmember Coleman moved to not approve Application No. Z-11-2007 and deny proposed Ordinance No. 07-44. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent

Yes

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Ms. Burt	Yes
Mr. Coleman	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous. Application No. Z-11-2007 not approved; Proposed Ordinance No. 07-44 denied.

ACTION: RESOLUTION NO. 07-168, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH RICHMOND AMERICAN HOMES OF UTAH, INC., FOR APPROXIMATELY 15.6 ACRES OF REAL PROPERTY BEING DEVELOPED IN THE VICINITY OF 4450 SOUTH 2700 WEST

City Manager, Wayne Pyle, presented proposed Resolution No. 07-168 which would authorize the City to enter into a Development Agreement with Richmond American Homes of Utah, Inc. for approximately 15.6 acres of real property being developed in the vicinity of 4450 South 2700 West.

After discussion, Councilmember Burt moved to deny proposed Resolution No. 07-168. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Coleman	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous. Proposed Resolution No. 07-168 denied.

13364

ADD EMERGENCY ITEM TO THE AGENDA

City Manager, Wayne Pyle, stated Governor Huntsman had requested all municipalities in Utah to ban fireworks within their respective jurisdictions. Mr. Pyle stated because this would be the last Council meeting prior to the July 24th holiday, a motion would be necessary to add proposed draft Ordinance No. 07-45 to the agenda as an emergency item. The proposed ordinance would enact Section 106, Chapter 6, Title 16 of the West Valley City Municipal Code regarding the use of fireworks.

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After discussion, Councilmember Peterson moved to add an emergency item to the Agenda entitled proposed Ordinance No. 07-45 which would enact Section 106, Chapter 6, Title 16 of the West Valley City Municipal Code regarding the use of fireworks. There was no second to the motion.

13365

RESOLUTION NO. 07-174, APPROVE AGREEMENT WITH THE UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY REGARDING THE VOLUNTARY CLEANUP AT THE WEST VALLEY CITY WESTRIDGE PROPERTY SITE LOCATED AT 5165 SOUTH 5700 WEST (VOLUNTARY CLEANUP PROGRAM NUMBER C055)

City Manager, Wayne Pyle, presented proposed Resolution No. 07-174 which would approve an agreement with the Utah Department of Environmental Quality regarding the voluntary cleanup at the West Valley City Westridge property site located at 5165 South 5700 West (Voluntary Cleanup Program Number C055).

Mr. Pyle stated West Valley City, through the Utah Department of Environmental Quality Voluntary Cleanup Program, would mitigate the Bingham Magna ditch which ran through the Westridge property located at approximately 5165 South 5700 West. He further stated the abandoned canal had been identified as containing high levels of arsenic and lead. He indicated the City was under contract to sell the property to Ivory Homes and in order to provide a certificate that the site had been properly mitigated, the City would need to enter into the State administered Voluntary Cleanup Program. He reported the City had completed the background research and submitted an application for acceptance into the program.

The City Manager explained Kennecott once owned and operated the canal and had verbally committed to help with the permit process and mitigation. He stated that currently the State was reviewing the City's mitigation plan and, if accepted, it would go to a 30 day comment period and then mitigation could begin.

After discussion, Councilmember Peterson moved to approve Resolution No. 07-174, A Resolution Approving an Agreement between West Valley City and the Utah Department of Environmental Quality Regarding the Voluntary Cleanup at the West Valley City Westridge Property Site located at 5165 South 5700 West (Voluntary Cleanup Program Number C055). Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent

Yes

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Ms. Burt	Yes
Mr. Coleman	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

13366 **RESOLUTION NO. 07-175, APPROVE PURCHASE OF A THEATRICAL LIGHTING SYSTEM FROM CORNERSTONE AUDIO VISUAL LIGHTING FOR USE AT THE UTAH CULTURAL CELEBRATION CENTER AMPHITHEATER**

City Manager, Wayne Pyle, presented proposed Resolution No. 07-175 which would approve purchase of a theatrical lighting system from Cornerstone Audio Visual Lighting for use at the Utah Cultural Celebration Center (UCCC) Amphitheater.

Mr. Pyle stated bids had been solicited and three bids had been received. The City Manager reported Cornerstone Audio Visual Lighting had submitted the lowest responsible bid.

Mr. Pyle reported the UCCC Amphitheater had the potential of providing performances requiring theatrical lighting. He also reported that from the original construction there had been conduits provided for a future installation of sound and lighting systems. He stated the sound system had been installed two years earlier and the need for the lighting had since become evident. He indicated many opportunities for concerts and plays had been lost because of lack of theatrical lighting. He further indicated the lighting proposed would provide the needs of most concerts and plays that could be performed on the stage. He also reported the equipment would be versatile and could also be utilized in the Great Hall of the UCCC facility.

After discussion, Councilmember Vincent moved to approve Resolution No. 07-175, A Resolution Approving the Purchase a Theatrical Lighting System from Cornerstone Audio Visual Lighting for use at the Utah Cultural Celebration Center Amphitheater. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Coleman	Yes

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Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

13367

RESOLUTION NO. 07-166, APPROVE AMENDMENT TO DEVELOPMENT AGREEMENT WITH SUNSET HILLS, LLC, FOR PROPERTY LOCATED AT APPROXIMATELY 6420 SOUTH SR-111 (CONTINUED FROM REGULAR MEETING OF JULY 10, 2007)

City Manager, Wayne Pyle, presented proposed Resolution No. 07-166 which would approve an Amendment to the Development Agreement with Sunset Hills, LLC, for property located at approximately 6420 South SR-111 which was continued from the Regular Council Meeting of July 10, 2007.

Mr. Pyle stated that in May, 2006, the City Council approved Resolution No. 06-104 authorizing a Development Agreement between the City and Sunset Hills, LLC, for a new subdivision located at approximately 6420 South SR-111. He indicated the subject agreement set forth development standards to enhance the residential subdivision. He further indicated the purpose of the subject Resolution was to modify a portion of the fencing requirement.

The City Manager reported that during the re-zoning process of the above mentioned property, the developer committed to certain development standards. A portion of item number 7 in Exhibit B of the Development Agreement stated the developer must install a pre-cast concrete fence along the entire perimeter of the East Village. He stated that after evaluating what the finished grades would be along the north property line of the East Village, the developer suggested a different fencing program to increase the feeling of open space along the north trail system. He indicated in lieu of the pre-cast wall along the north property line, the developer believed the black vinyl coated chain link fence, as had been required in the Wood Hollow Subdivision to the north, would provide a more open feeling for residents using the trail than would a pre-cast wall.

Mr. Pyle stated the developer had also proposed to install a three rail fence along the south side of the trail to provide increased safety and create a more rural feeling along the trail system. He further stated the developer informed staff that he would coordinate cost and construction of the black coated vinyl chain link fence with the developer of the Wood Hollow Subdivision. He indicated, for those reasons, the applicant had requested the Council revisit the fencing condition along the north property line of the East Village in the Sunset Hills PUD.

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City Manager, Wayne Pyle, recommended denial of the proposal.

After discussion, Councilmember Burt moved to deny proposed Resolution No. 07-166. Councilmember Peterson seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Coleman	Yes
Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous. Proposed Resolution No. 07-166 denied.

Councilmember Vincent recommended the City Manager work with the two developers to make the cost of fencing equitable.

13368

CONSENT AGENDA:

A. RESOLUTION NO. 07-169, RATIFY THE CITY MANAGER'S APPOINTMENT OF DALE CLAYTON TO THE PLANNING COMMISSION, TERM: JULY 17, 2007 – JULY 1, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 07-169 which would ratify his appointment of Dale Clayton to the Planning Commission for the term July 17, 2007, through July 1, 2010.

Mr. Pyle stated Mr. Clayton would fill the unexpired term of Commissioner Mario Cisneros. He also informed Mr. Clayton had been an alternate member of the Planning Commission since October 17, 2006, and had contributed greatly to that board.

B. RESOLUTION NO. 07-170, RATIFY THE CITY MANAGER'S APPOINTMENT OF JEAN "J.J." JUDD TO THE CLEAN AND BEAUTIFUL COMMITTEE, TERM: JULY 1, 2007 – JUNE 30, 2011

City Manager, Wayne Pyle, presented proposed Resolution No. 07-170 which would ratify his appointment of Jean "J.J." Judd to the Clean and Beautiful Commission for the term July 1, 2007, through June 30, 2011.

Mr. Pyle stated Ms. Judd had expressed a desire to serve on the Clean and Beautiful Committee.

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C. RESOLUTION NO. 07-171, RATIFY THE CITY MANAGER'S APPOINTMENT OF HARLAN BANGERter TO THE HISTORICAL SOCIETY, TERM: JULY 1, 2007 – DECEMBER 31, 2007

City Manager, Wayne Pyle, presented proposed Resolution No. 07-171 which would ratify his appointment of Harlan Bangerter to the Historical Society for the term July 1, 2007, through December 31, 2007.

Mr. Pyle stated Mr. Bangerter had agreed to serve on the Historical Society board.

D. RESOLUTION NO. 07-172, RATIFY THE CITY MANAGER'S APPOINTMENT OF BARBARA WATT TO THE HISTORICAL SOCIETY, TERM: JULY 1, 2007 – DECEMBER 31, 2007

City Manager, Wayne Pyle, presented proposed Resolution No. 07-172 which would ratify his appointment of Barbara Watt to the Historical Society for the term July 1, 2007, through December 31, 2007.

Mr. Pyle stated Ms. Watt had agreed to serve on the Historical Society board.

E. RESOLUTION NO. 07-173, RATIFY THE CITY MANAGER'S APPOINTMENT OF RONALD WATT TO THE HISTORICAL SOCIETY, TERM: JULY 1, 2007 – DECEMBER 31, 2007

City Manager, Wayne Pyle, presented proposed Resolution No. 07-173 which would ratify his appointment of Ronald Watt to the Historical Society for the term July 1, 2007, through December 31, 2007.

Mr. Pyle stated Mr. Watt had agreed to serve on the Historical Society board.

After discussion, Councilmember Coleman moved to approve Resolution Nos. 07-169, 07-170, 07-171, 07-172, and 07-173 as presented on the Consent Agenda. Councilmember Peterson seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Coleman	Yes

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Ms. Peterson	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST 17, 2007, WAS ADJOURNED AT 7:50 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held July 17, 2007.

Carel Hicks, Acting City Recorder